

I am opposed to RM-10352.

In the past I also felt that a FCC mandated band plan was necessary for protection of CW or SSB weak signals from other broader modes. I no longer feel that way. Since the FCC has already addressed interference issues in regards to SSB versus CW within the ARRL 160 Meter band plan there is no reason for anyone not to feel that enforcement is possible. It is a reality.

Below are excerpts from the petition and two different Orders that the FCC has issued in regards to other requests for FCC mandated band plans.

If the FCC stays consistent with those two Orders then all of the questions and issues in RM-10352 will be answered and addressed as they should be. The rules and actions of the ARRL and the FCC have already drawn the 'line of demarcation'.

"Principal Rationale for Request: Operating activity on the 160 m Amateur Band has grown to a level where separation by the Commission of wide band modes (such as SSB, AM and SSTV) and narrowband modes (such as CW and digital) is both necessary and desirable. A simple "line of demarcation" by the Commission is sufficient to address this need. The Amateur Service, under the provisions of the revised ARRL Band plan for 160 m, is well-equipped thereafter to self-manage the specific operating activities within these two broadly-defined FCC-articulated segments."

REPORT AND ORDER

Adopted: August 31, 1999 Released: September 3, 1999

25.We also note that interference between amateur radio stations is already addressed generally by Section 97.101(d), which prohibits operators from willfully or maliciously interfering with or causing interference to any radio communications or signal. Additionally, we believe that excluding specific emission types from additional frequencies segments based on the specific operating interests of individual licensees or groups of licensees is inconsistent with the principle that each station licensee and each control operator must cooperate in selecting transmitting channels and in making the most effective use of the frequencies allocated to the Amateur Radio Service and that no frequency will be assigned for the exclusive use of any station. (see 47 CFR 97.101(b)) A hallmark of the Amateur Radio Service has been that all frequencies are shared. The expectation of any station

that it can operate in a totally interference-free environment, therefore, is unreasonable. We also believe that subdividing amateur service frequency bands would undercut the voluntary band planning that the amateur service community does and would result in a loss of flexibility to reallocate spectrum as licensee's operating interests change, new technologies are incorporated, and frequency bands in the radio spectrum are allocated.

ORDER

Adopted: November 29, 1999 Released: November 29, 1999

By the Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau:

E. RM-9673

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segments based on the specific operating interests of individual licensees or groups of licensees is inconsistent with the principle that

each station licensee and each control operator must cooperate in selecting transmitting channels and in making the most effective use of the frequencies allocated to the Amateur Radio Service and that no frequency will be assigned for the exclusive use of any station. A hallmark of the Amateur Radio Service has been that all frequencies are shared. The expectation of any station that it can operate in a totally

interference-free environment, therefore, is unreasonable. We also believe that subdividing amateur service frequency bands would undercut the voluntary band planning that the amateur service community does and would result in a loss of flexibility to reallocate spectrum as licensee's operating interests change, new technologies are incorporated, and frequency bands in the radio spectrum are reallocated.....

..... We believe that the policy the Commission recently articulated in WT Docket No. 97-12 applies to any request that we subdivide amateur service frequency bands on the basis that operating interests of one group of licensees may interfere with the operating interests of other licensees. We also are concerned that subdividing amateur service bands

on the basis of operating interests would result in a loss of flexibility to accommodate changes in operating trends and emergence of new technologies. Rather, we agree with ARRL that education and the application of rules such as Sections 97.313 and 97.101(c) and (d) should be sufficient to minimize interference.....

Sincerely

John Godwin K5IUA